

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

James R. Phillips, Jr.,

Case No. 3:12-cv-01609

Plaintiff

v.

ORDER

Edward T. Sheldon,

Defendant

Before me is the Report and Recommendation of Magistrate Judge Greg White, filed on November 12, 2013, recommending dismissal of Petitioner James R. Phillips, Jr.'s action seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Under the relevant statute, "[w]ithin fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court." 28 U.S.C. § 636(b)(1); *United States v. Campbell*, 261 F.3d 628 (6th Cir. 2001). In this case, the fourteen day period has elapsed and no objections have been filed.

The failure to file written objections to the Magistrate Judge's report and recommendation constitutes a waiver of a determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see also United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

Following review of the Magistrate Judge's thorough Report and Recommendation, the Court adopts the Report and Recommendation in its entirety as the Order of the Court. The Petition for Writ of Habeas Corpus, under 28 U.S.C. § 2254, is dismissed.

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge